

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: : Case No. 1:24-bk-03264-HWV
IRENE PAPOUTSIS MULKERIN :
Debtor : Chapter 7
:

**REPLY OF THE PAPOUTSIS FAMILY LIMITED PARTNERSHIP TO
DEBTOR'S AMENDED MOTION FOR DERIVATIVE STANDING**

The Reply of The Papoutsis Family Limited Partnership ("FLP") to the Amended Motion (the "Motion") of Irene Papoutsis Mulkerin ("Debtor") for Derivative Standing (Dkt. 477), is as follows:

1. The FLP is a Limited Family Partnership in which the Debtor, pre-petition, owned a Limited Partnership interest.
2. Because of the Debtor's interest in the FLP as Limited Partner, such Limited Partnership Interest is property of the Debtor's estate.
3. The Debtor by this current Motion attempts to initiate claims against the FLP, or to compel the Chapter 7 Trustee, Steven Carr, to take action regarding the FLP.
4. Any attempt by the Debtor for Derivative Standing is not proven. In particular, there is no specific statement of alleged fraud. The standards for Derivative Standing require an explanation as to what actions are believed are necessary to be filed.
5. Further, the Trustee has exclusive rights to file any such action. The Motion filed by the Debtor interferes with the Trustee's control of the FLP interest.
6. Further, as set forth above, there is no basis for the bringing of any actions against the FLP, the Motion merely sets forth unnamed claims with no specifics whatsoever sufficient to form a response concerning such claims.

WHEREFORE, the Papoutsis Family Limited Partnership requests that the Motion be denied.

Respectfully submitted:

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& WARSHAWSKY, P.C.

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